GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Eluru District, against Sri Islavathu Nageswara Rao, S/o Balu, Age 30 years, R/o Naggireddigudem Village, Chintalapudi Mandal, Eluru District, Andhra Pradesh State - Representation of Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao, Detenue– Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.491 **Dated:12.03.2023**
Read the following:-

1. From the Collector and District Magistrate, Eluru District, Eluru Proceedings No.Roc.No.C1/e-30668/2022, dated 21.01.2023.
2. G.O.Rt.No.177, G.A.(SC.I) Dept., dated 27.01.2023.
3. Representation dated 28.02.2023 of Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, Eluru District, has passed detention order against Sri Islavathu Nageswara Rao, S/o Balu, Age 30 years, R/o Naggireddigudem Village, Chintalapudi Mandal, Eluru District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(b) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved the detention order in the reference 2nd read above.

2. In the reference 3rd read above, Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao, Detenue, had made a representation to the Government and requested to issue orders for release of her husband duly cancelling the order of detention of the Collector.

3. Government have examined the representation of Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao, Detenue, and the material available in the record and under the provisions of the APPD Act, 1986. It is observed that five (05) cases have been registered against him and he is repeatedly indulging himself in committing the offences of purchase, possession, sale, transportation & manufacturing of illicit Distilled Liquor and become dangerous to the lonely public. He is acting as prejudicial to the maintenance of the Public order. All the cases registered against him are punishable offences under which are registered under various provisions U/Sec of 7(A) & 7(B) r/w 8(A), 8(B) of A.P. Prohibition (Amended) Act, 2020. The details shows that he is a habitual offender. He is indulging in unlawful activities, having no respect towards Law and Justice and continued his illegal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of “Boot-Legger” as defined under section 2(b) of Act 1 of 1986.

4. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, the applicant has expressed her views before the Advisory Board on Preventive Detentions on 07.03.2023 besides the detenue and considered by the Advisory Board.

(P.T.O)

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao, Detenue, as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. K.S. JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Smt. Islavathu Divya, W/o Sri Islavathu Nageswara Rao, R/o 13-24, Naggireddigudem Village, Chintalapudi Mandal, Eluru District.
The Collector and District Magistrate, Eluru District..
Copy to:
The Superintendent of Police, Eluru District.
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED :: BY ORDER //

SECTION OFFICER (SC)